

REMARKS/ARGUMENTS

Claims 1-3, 5-12, 14-21, 23-30, and 32-38 are pending in the application. Claims 1, 10, 19, 28, 37, and 38 have been amended. Claims 4, 13, 22, and 31 have been cancelled without prejudice. Reconsideration is respectfully requested. Applicant submits that the pending claims 1-3, 5-12, 14-21, 23-30, and 32-38 are patentable over the art of record and allowance is respectfully requested of claims 1-3, 5-12, 14-21, 23-30, and 32-38.

Claims 1-4, 9-13, 18-22, 27-31, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaluskar et al. (U.S. Patent No. 6,985,904) in view of Crone et al. (U.S. Patent No. 6,249,783). Applicants respectfully traverse.

Claim 1 describes when executing a statement, when performing bind-in of host variables, comparing data in an application structure received with the statement with optimization information in a bind-in structure (e.g., Specification, page 11, paragraph 35; Page 12, paragraph 39 – page 13, paragraph 40; Figs. 3 and 4). The application structure includes data to be inserted into a data store (e.g., Specification, page 8, paragraph 23). The optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid (e.g., Specification, page 8, paragraph 20). When there is a match between the data in the application structure and data in the optimization information in the bind-in structure, executing the statement with the optimization information.

For example, as described on page 12, paragraph 37, of the Specification:

If the optimization information stored in the bind-in and/or bind-out structures 152, 154, may be reused, the data store engine 130 does not need to look at how the application program is providing data (for insert) or how the application program wants data returned (for fetch). For example, if an application program fetched data from a table that contained integers, and the application program requested that the data be fetched into an array (e.g., a host-variable-array) of integers, then the bind-out logic of the bind-in and bind-out optimizer 132 would determine that the optimization information that was stored in the bind-out structure 156 at bind time could be used. If

the application program fetched the data from the table containing integers into an array of small-integers, then the bind-out logic of the bind-in and bind-out optimizer 132 would determine that the bind time information could not be used, and the bind-in and bind-out optimizer 132 would recalculate the optimization information (e.g., data type, length, CCSID, array size, whether conversions are required, whether conversions are valid, and/or branch tags).

In the Office Action mailed on August 28, 2006, the Examiner submits that:

When the method of Kaluskar compares the SQL statement, which is presently being processed, with an existing cursor, which corresponds to a first SQL statement (Kaluskar, Column 3 Line 65 through Column 4 Line 6), said method is effectively comparing "data in an application structure received with the statement (i.e., host variables) with optimization information" because said, method is comparing those host variable (i.e., data in an application structure received with the statement) with optimization information (i.e., matching an existing cursor, which corresponds to a first SQL statement, and, if said existing cursor exactly matches to the current SQL statement, reusing the execution plan of the executing cursor). Therefore, the method of Kaluskar does teach limitation of claim 1 "comparing data in an application structure received with the statement with optimization in a bind-structure".

Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended the independent claims to clarify "application structure" and "optimization information".

For example, with reference to claim 1, rather than comparing data in an application structure received with the statement with optimization information in a bind-in structure, wherein the application structure includes data to be inserted into a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid, the Kaluskar patent compares a SQL statement with another SQL statement (Col. 4, line 2; FIG. 2, block 210 "matching SQL text"). For example, the Kaluskar patent at Col. 3, line 67 – Col. 4, line 3, describes that the matching step 210 of

FIG. 2 is accomplished if an existing cursor corresponds to a first SQL statement that exactly matches the SQL statement presently being processed. Also, the Kaluskar patent at Col. 4, lines 10-13, describes that two statements are considered "matching" in this embodiment at step 210 if no more than the values of one or more literals in the SQL statements are different. Thus, the Kaluskar patent is comparing SQL statements. Applicants respectfully submit that comparing SQL statements is not "effectively comparing" data in an application structure received with the statement with optimization information in a bind-in structure, wherein the application structure includes data to be inserted into a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid.

Also, the Kaluskar patent describes that the comparison of SQL statements is done during a soft parse because they are trying to reduce the expense of compilation involved in processing SQL statements (Col. 3, lines 44-45). Such processing during *compilation* teaches away from the claimed comparison made when *executing* a statement, as claimed by Applicants.

Because the Kaluskar patent does not teach or suggest the claimed comparison, Applicants respectfully submit that the Kaluskar patent does not teach or suggest, when there is a match between the data in the application structure and data in the optimization information in the bind-in structure, executing the statement with the optimization information.

Applicants submit that there is no teaching or suggestion in the Kaluskar patent of performing a comparison when performing bind-in of host variables. Also, the Examiner states that "Kaluskar does not explicitly teach [is the] limitation 'when performing a bind-in of host variables'", and cites the Crone patent as teaching this. Applicants respectfully traverse. The Crone patent describes methods to convert other primitive data types to the module's primitive data types (Col. 5, lines 39-41). However, the Crone patent does not cure the defects of the Kaluskar patent as the Crone patent does not teach or suggest, when executing a statement, when performing bind-in of host variables, comparing data in an application structure received with the statement with optimization information in a bind-in structure, wherein the application structure includes data to be inserted into a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of

whether conversions are required, and an indication of whether the required conversions are valid.

Thus, claim 1 is not taught or suggested by the Kaluskar patent or the Crone patent, either alone or in combination.

Claims 19 and 37 are not taught or suggested by the Kaluskar patent or the Crone patent, either alone or in combination, for at least the same reasons as were discussed with respect to claim 1.

Claims 10, 28, and 38 describe bind-out, rather than bind-in (as described in claim 1). For example, claims 10, 28, and 38 also describe comparing data in an application structure received with the statement with optimization information in a bind-out structure, wherein the application structure is capable of storing data to be retrieved from a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid. Therefore, claims 10, 28, and 38 are not taught or suggested by the Kaluskar patent or the Crone patent, either alone or in combination, for at least the same reasons as were discussed with respect to claim 1.

Dependent claims 2-3, 9, 11-12, 18, 20-21, 27, 29-30, and 36 incorporate the language of independent claims 1, 10, 19, and 28 and add additional novel elements. Therefore, dependent claims 2-3, 9, 11-12, 18, 20-21, 27, 29-30, and 36 are not taught or suggested by the Kaluskar patent or the Crone patent, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 10, 19, and 28.

Claims 5, 14, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaluskar et al. (U.S. Patent No. 6,985,904) in view of Crone et al. (U.S. Patent No. 6,249,783) and further in view of Desai et al. (U.S. Patent No. 6,567,816). Applicants respectfully traverse. Additionally, Applicants respectfully submit that the rejection is moot in light of the new amendments.

For example, the Desai patent does not cure the defects of the Kaluskar and Crone patents. For example, the Desai patent does not teach or suggest, when executing a statement, when performing bind-in of host variables, comparing data in an application structure received with the statement with optimization information in a bind-in structure, wherein the application

structure includes data to be inserted into a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid.

Dependent claims 5, 14, 23, and 32 incorporate the language of independent claims 1, 10, 19, and 28 and add additional novel elements. Thus, claims 5, 14, 23, and 32 are not taught or suggested by the Kaluskar patent, the Crone patent, or the Desai patent, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 10, 19, and 28.

Claims 6-8, 15-17, 24-26, and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaluskar et al. (U.S. Patent No. 6,985,904) in view of Crone et al. (U.S. Patent No. 6,249,783) and further in view of Jordan II et al. (U.S. Patent No. 5,875,442). Applicants respectfully traverse. Additionally, Applicants respectfully submit that the rejection is moot in light of the new amendments.

For example, the Jordan II patent does not cure the defects of the Kaluskar and Crone patents. For example, the Jordan II patent does not teach or suggest, when executing a statement, when performing bind-in of host variables, comparing data in an application structure received with the statement with optimization information in a bind-in structure, wherein the application structure includes data to be inserted into a data store and wherein the optimization information includes at least one of data type, length, Coded Character Set Identifier, an array size, an indication of whether conversions are required, and an indication of whether the required conversions are valid.

Dependent claims 6-8, 15-17, 24-26, and 33-35 incorporate the language of independent claims 1, 10, 19, and 28 and add additional novel elements. Thus, claims 6-8, 15-17, 24-26, and 33-35 are not taught or suggested by the Kaluskar patent, the Crone patent, or the Jordan II patent, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 10, 19, and 28.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-3, 5-12, 14-21, 23-30, and 32-38 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

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By: ___/Janaki K. Davda/ _____

Janaki K. Davda

Registration No. 40,684

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984